

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ASSOCIATION OF NEW JERSEY
RIFLE & PISTOL CLUBS, INC., *et*
al.,

Plaintiffs,

v.

PHILIP D. MURPHY, in his official
capacity as Governor of New Jersey, *et*
al.,

Defendants.

HON. SUSAN D. WIGENTON,
U.S.D.J.

HON. LEDA D. WETTRE,
U.S.M.J.

CIVIL ACTION NO. 20-cv-3269

CIVIL ACTION

(ELECTRONICALLY FILED)

**DECLARATION OF ROBERT VIDEN, JR. IN SUPPORT OF
PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING
ORDER AND/OR PRELIMINARY INJUNCTION**

1. I, Robert Viden, Jr., am President of Bob's Little Sport Shop, Inc. ("BLSS"), a plaintiff in the above-titled action. I am over the age of 18, have

personal knowledge of the facts and events referred to in this Declaration, and am competent to testify to the matters stated below.

2. BLSS is a duly licensed retail firearms dealer located in Glassboro, New Jersey. BLSS has been in business for approximately 55 years.

3. BLSS is also duly licensed to sell firearm ammunition in New Jersey.

4. On average BLSS sells more than 40 firearms per week.

5. Recently, however, we have seen that number increase almost four fold as customers, both new gun buyers and repeat gun buyers, express grave concern over the current emergency situation.

6. Unfortunately, as of 9:00 p.m. March 21, when Executive Order 107 (“EO 107”) went into effect, we have been shut down. We understand, and Governor Murphy has publicly confirmed, that EO 107 purports not to acknowledge retail firearms and ammunition sales as “essential businesses.” BLSS therefore must stop doing business indefinitely under EO 107.

7. Further, the New Jersey State Police have shut down the State Police portal we are required by state and federal law to use to access the federal National Instant Criminal Background Check System (“NICS”) that is necessary in order to lawfully complete the transfer of a firearm to a purchaser. Thus, even if we were legally allowed to sell firearms now under EO 107 (which we are not), we could not

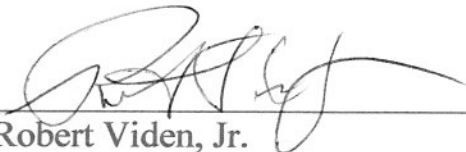
do so because the State Police are preventing us from initiating the legally required NICS background check.

8. We currently have potential customers who wish to come to our store to buy firearms and ammunition and who could lawfully do so. We would sell firearms and ammunition to them, but we are not legally allowed to do so under EO 107, and even if we were we could not initiate the required NICS background check.

9. If we were allowed to sell firearms and ammunition under EO 107, we could and would implement important sanitary and safety procedures, including limiting the number of customers in the store at any one time, strictly observing and enforcing social distancing protocols, providing and requiring customers to wear latex or nitrile gloves when handling any firearms or ammunition, regularly sanitizing exposed surfaces, etc.

I declare under penalty of perjury that the foregoing is true and correct.

Executed within the United States.


Robert Viden, Jr.

3/25/20
Date